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| Notice of Allowability | Application No. 10/805,730 Examiner Thang V. Tran | Applicant(s) YAGI ET AL. Art Unit 2627 |
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-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to a communication dated 3/22/04.
2. The allowed claim(s) is/are 1-32.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: claims 1-32 are allowed over the prior art of record because all of references of record, viewed as closest prior art and considered alone or in combination, fails to suggest or fairly teach an optical pickup apparatus including a combination of: first, second and third light sources to emit light fluxes with wavelengths of λ_1 , λ_2 ($\lambda_1 < \lambda_2$) and λ_3 ($\lambda_2 < \lambda_3$) respectively; a light converging optical system including a first objective optical element and a second objective optical element, wherein the first objective optical element converges the light flux emitted from the first light source on a first information recording surface having a first information recording density D_1 of the first optical information recording medium through a protective layer with a thickness t_1 , the second objective optical element converges the light flux emitted from the third light source on a third information recording surface having a third information recording density D_3 ($D_1 > D_3$) of the third optical information recording medium through a protective layer with a thickness t_3 ($t_1 < t_3$), and the first objective optical element or the second objective optical element converges the light flux emitted from the second light source on a second information recording surface having a second information recording density D_2 ($D_1 > D_2 > D_3$) of the second optical information recording media through a protective layer with a thickness t_2 ($t_2 < t_3$); and a chromatic aberration correcting element which is arranged in an optical path where the light flux emitted by the first light source passes through, and corrects a chromatic aberration caused by a wavelength variation in a light flux emitted by the first light source, as recited in claim 1. Claims 2-32 are allowed with their respective parent claim.

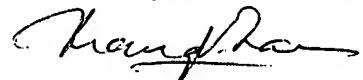
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CITED REFERENCES

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an optical apparatus having a plurality of light sources and objective lenses for recording/reading information on/from different optical disks each having different thickness or recording density.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Hoa can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thang V. Tran
Primary Examiner
Art Unit 2627